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Attorneys for Defendant T.W.U. Local 100

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
AINSLEY STEWART,

Plaintiff,

-versus-

No. 06 Civ. 1743 (RJS)

**TRANSPORT WORKERS UNION OF
GREATER NEW YORK, LOCAL 100,
TRANSPORT WORKERS UNION OF
AMERICA, AFL-CIO,**

Defendant.
-----X

NOTICE OF MOTION

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 50 and/or 59 and upon the annexed Declaration of James Reif dated July 21, 2009, Defendant T.W.U. Local 100's Memorandum in Support of Motion for Post-Verdict Relief Pursuant to Fed. R. Civ. P. 50 and/or 59 and all pleadings and proceedings heretofore had herein, defendant will move this Court before the Hon. Richard J. Sullivan at the United States Courthouse, Courtroom 21C, 500 Pearl Street, New York, New York 10007, on a date and at a time to be determined by the Court for the following relief:

- a. an Order granting judgment to defendant as a matter of law, and/or directing a new trial, on the remaining causes of action; and
- b. such other and further relief as the Court deems just and appropriate.

Dated: July 21, 2009

Yours, etc.,

GLADSTEIN, REIF & MEGINNISS, LLP

By: James Reif
James Reif (JR2974)

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To: Louie Nikolaidis
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system on July 21, 2009 will be sent electronically to the registered participants as identified on the notice of electronic filing.

/s/ Thomas Curtin
Thomas Curtin